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TECH CENTER 1600/2900 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In Re Application Of |) | |
| |) | Group Art Unit 1642 |
| NEEDLEMAN et al. |) | |
| |) | Examiner: Minh-Tam Davis |
| Serial No. 09/387,340 |) | |
| |) | |
| Filed: August 31, 1999 |) | Atty. Docket: MON-102.0-C |
| |) | (3119-C)(061765.00367) |
| Continued Prosecution Application |) | |
| Filed: January 4, 2002 |) | |

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For: **AN IMMUNOLOGICAL PROCESS AND CONSTRUCTS FOR
INCREASING THE HDL CHOLESTROL CONCENTRATION**

PRELIMINARY AMENDMENT

The Honorable Assistant Commissioner
for Patents
Washington, D.C. 20231

Sir:

This paper is submitted in furtherance of the interview conducted with Examiner Davis on January 9, 2002. At that interview the 35 U.S.C. 112 support for a new claim was discussed and agreement was tentatively reached on that issue. This Preliminary Amendment now introduces that claim for examination, as well as several dependent claims, to replace the claims previously pending. Applicants do not believe any fee is required to enter the amendment. If a fee is due, applicants hereby authorize the charging of Deposit Account No. 19-0733 for any such fee(s).

IN THE CLAIMS

Please cancel claims all pending claims, believed to be claims 11, 12, 14 and 15, and add new claims 44-47 as follows: